GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention made by the Collector and District Magistrate, SPS Nellore District, Nellore in respect of Sri Shaik Asif, S/o Ismail @ Kuppuswamy, aged 23 years, R/o B.Block, Chandrababu Nagar, Nellore city, SPS Nellore District, Andhra Pradesh State– Confirmed Orders – Issued.

GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.Rt.No.1614 Dated:05.08.2022

Read the following:-

1. From the Collector and District Magistrate, SPS Nellore District, Nellore Proceedings No. C1(Magl)/106/2022, Dt:27.05.2022.
2. G.O.Rt.No.1044, GA(SC.I) Department, Dt.06.06.2022
3. Letter No.1745329/GAD01-LOOACTS (PDAA)/77/2022-SC.I/A3-2Dt: 21.06.2022.
4. Memo No:1746074-GAD01-LOOACTS (PDAA)/79/SC.I/A3/2022-3 Dated:13.07.2022
5. From the Advisory Board Report Dated: 14.07.2022.

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ORDER:

WHEREAS, the Collector and District Magistrate, SPS Nellore District, Nellore has made an order of detention, vide reference first read above under Section-3(1) & (2) r/w Section 2(g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986), against Sri Shaik Asif, S/o Ismail @ Kuppu swamy, aged 23 years, R/o B.Block, Chandrababu Nagar, Nellore city, SPS Nellore District, Andhra Pradesh State, who is indulging repeatedly in murder, attempt to murder, assault or criminal force, hurt by dangerous weapon, causing simple hurt, wrongful restrain a person, mischief causing damage or loss, Criminal intimidation as member of or leader of gang of the said offences.

2. AND WHEREAS, the Government have accorded approval of the said detention order under sub-section (3) of Section 3 of the Act, vide Government Orders second read above;

3. AND WHEREAS, under Section 10 of the Act, Government within three weeks from the date of detention of a person under the order shall place the case before the Advisory Board on Preventive Detentions, constituted under Section 9 of the said Act, comprising of Justice Sri Neelam Sanjiva Reddy (Retired), Chairman and two Members of the Advisory Board shall submit its report to Govt., within seven weeks from the date of detention under Section 11(1) of the said Act. The above said case was placed before the Advisory Board for its consideration and to submit its report to Government, under Section 11 (1) of the said Act, vide reference 3rd read above. But due to the Covid-19 pandemic situation the case was reviewed by the Advisory Board on 14.07.2022 through video conference. After having heard the detenue and the investigating Officer, who have attended the Video Conference and also upon perusing the grounds of detention and the connected records, the Advisory board has reported unanimously that in its opinion, "there is sufficient cause for the detention of the detenue, Sri Shaik Asif, S/o Ismail @ Kuppuswamy, aged 23 years, R/o B.Block, Chandrababu Nagar, Nellore city, SPS Nellore District, Andhra Pradesh State .

4. AND WHEREAS, the Government after careful examination of the entire record and the opinion of the Advisory Board, has observed that the detenue, Sri Shaik Asif, S/o Ismail @ Kuppuswamy, aged 23 years, R/o B.Block, Chandrababu Nagar, Nellore

(P.T.O.)

city, SPS Nellore District, Andhra Pradesh State, is found to be involved in as many as in four (04) cases mentioned in the grounds of detention. All the instances mentioned above clearly establish that he is a habitual offender and his activities are habitual in nature and prejudicial to the maintenance of public order, which are registered under various provisions U/s 147, 148, 302 r/w 149 IPC & Sec.3 (2) (V) of SCs & STs (POA) Act, 2015U/s 307, 34, 506 r/w 34 IPC,U/S 379 IPC. The details shows that he is a habitual offender. He is a criminal indulging in violent and unlawful activities, having no respect towards Law and Justice and continued his criminal activities and there will be no change in his attitude even though number of cases registered against him. The said offences are punishable under Chapter XVI Chapter XVII or Chapter XXII of IPC. As such the activities of the individual falls under and within the meaning of "Goonda" as defined under section 2(g) of Act 1 of 1986. The detaining authority having taken into account and consideration of indulgence of the detenue in the above said activities repeatedly at regular intervals and having satisfied that the penal laws have failed to curb his illegal activities, has passed the detention order against the detenue by invoking the provisions under the Act 1 of 1986, in order to prevent him from indulging further in such activities, which are prejudicial to maintenance of public order. The Advisory Board after review of the case, has opined that there is sufficient cause for the detention of the detenue. As such, the detenue deserves the maximum period of detention, as provided under Section 13 of the Act;

5. Now, therefore, after due consideration of the report of the Advisory Board and the material available on record, in exercise of the powers conferred under sub-section (1) of Section 12 read with Section 13 of the said Act, the Order of Detention made by the Collector and District Magistrate, SPS Nellore District, Nellore in the reference 1st read above, as approved in the G.O. 2nd read above is hereby confirmed by the Government. The detention of Sri Shaik Asif, S/o Ismail @ Kuppuswamy, aged 23 years, R/o B.Block, Chandrababu Nagar, Nellore city, SPS Nellore District, Andhra Pradesh State be continued for a period of 12 (Twelve) months from the date of his detention, i.e. 01.06.2022 as per Sec.13 r/w Sec 12(1) of the said Act 1/1986.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.SAMEER SHARMA
CHIEF SECRETARY TO GOVERNMENT

To
Sri Shaik Asif, S/o Ismail @ Kuppu swamy, aged 23 years, R/o B.Block, Chandrababu Nagar, Nellore city, SPS Nellore District, Andhra Pradesh State through the Superintendent of Jails, Central Prison, Kadapa.
The Superintendent of Jails, Central Prison, Kadapa.(He should serve the order on the detenue immediately under proper acknowledgement and arrange to read over and explain the contents of the same in the language known to him and report compliance to Government forthwith).
The Collector and District Magistrate, SPS Nellore District, Nellore
The Superintendent of Police, SPS Nellore District, Nellore.
Copy to:
The Director General of Police, A.P., Mangalagiri, Guntur District.
The Director General of Prisons and Correctional Services, A.P., Vijayawada.
The Director General of Police, Intelligence, A.P., Vijayawada.
The Special Government Pleader, Attached to Learned Advocate General, A.P. High Court, High Court Buildings, A.P., Amaravathi.
SC/SF.

//FORWARDED::BY ORDER//

SECTION OFFICER(SC)